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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,389	09/30/2003	Koji Fujiwara	1248-0671P	3745

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EXAMINER

EISEN, ALEXANDER

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/673,389

Applicant(s)

FUJIWARA ET AL.

Examiner

Alexander Eisen

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/30/03</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Stefik et al., US 4,814,552, hereinafter Stefik, the reference supplied by the Applicant.

With respect to claim 1 Stefik discloses a pen input display device (FIGS. 1A-B) for making pen entry on a display panel using an input pen 17 having an ultrasonic transmitting section 25, the pen input display device including at least two ultrasonic receiving sections 14 and 15 that are in a fixed spatial relationship with the display panel, said pen input display device comprising a distance detecting section for detecting a parameter that directly or indirectly indicates a distance of the ultrasonic transmitting section from each of the ultrasonic receiving sections; and a received waveform control section (FIG. 4A) for carrying out control of reducing a difference in level of received waveforms, based on a result of detection by the distance detecting section, when the ultrasonic receiving sections receive an ultrasonic signal from the ultrasonic transmitting section (col. 5, lines 19-35).

As pertaining to claim 2 Stefik further discloses that the received waveform control section controls reception sensitivity of the ultrasonic receiving sections, whereby reception sensitivity is decreased for an ultrasonic receiving section whose distance from the ultrasonic transmitting section is short, and is increased for an ultrasonic receiving section whose distance from the ultrasonic transmitting section is long.

As pertaining to claim 3, each of the ultrasonic receiving sections includes an ultrasonic receiver and an amplifier circuit (TDA 3047 in FIG. 4A) for amplifying an output of the respective ultrasonic receiver; and the received waveform control section carries out such control that a gain of the amplifier circuit is decreased for an ultrasonic receiving section whose distance from the ultrasonic transmitting section is short, and is increased for an ultrasonic receiving section whose distance from the ultrasonic transmitting section is long.

***Allowable Subject Matter***

4. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art, either singularly or in combination, teach or fairly suggest a pen input display device, wherein received waveform control section controls transmission intensity of the ultrasonic transmitting section, whereby transmission intensity of the ultrasonic transmitting section is decreased when the distance of the ultrasonic transmitting section from the ultrasonic receiving section is short, and is increased when the distance of the ultrasonic transmitting section from the ultrasonic receiving section is long.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**DeBuisser et al., US 5,717,168**, discloses ultrasound pen input device using AGC amplifier.

**Masters et al., US 6,535,147 B1**, discloses touch screen panel having an acoustic receiver with an automatic gain control amplifier.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Eisen whose telephone number is (571) 272-7687. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alexander Eisen  
Primary Examiner  
Art Unit 2629

2 May 2006